

By: Harris

S.B. No. 396

A BILL TO BE ENTITLED

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AN ACT

relating to the issuance of certain search warrants.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (h), Article 18.01, Code of Criminal Procedure, is amended to read as follows:

(h) Except as provided by Subsection (i) of this article, a warrant under Subdivision (12), Article 18.02 of this code may only be issued by:

(1) a judge of a municipal court [~~of record~~] who is an attorney licensed by the state;

(2) a judge of a county court who is an attorney licensed by the state; or

(3) a judge of a statutory county court, district court, the court of criminal appeals, or the supreme court.

SECTION 2. (a) The change in law made by this Act applies only to a warrant issued on or after the effective date of this Act.

(b) A warrant issued before the effective date of this Act is covered by the law in effect when the warrant was issued, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2007.